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UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:	:	
	:	
JOSEPH M. RUTKOSKI, SR.	:	Chapter 13
	:	Case No.: 5:16-bk-04378-JJT
Debtor	:	
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VANDERBILT MORTGAGE AND	:	
FINANCE, INC.	Movant	:
v.	:	
JOSEPH M. RUTKOSKI, SR.	:	
	Debtor/Respondent	:
and	:	11 U.S.C. § 362 and 1301
Charles J. DeHart, III Esquire, Trustee	:	
Respondent	:	

ANSWER TO MOVANT'S MOTION FOR RELIEF FROM THE AUTOMATIC STAY

The Debtor, JOSEPH M. RUTKOSKI, Sr., by and through his counsel, David J. Harris, Esquire, objects to the Motion for Relief from the Automatic Stay of Vanderbilt Mortgage and Finance, Inc., as follows:

1. ADMITTED.

2. DENIED. It is believed and is therefore averred that the Debtor owns the subject property with his spouse who is not named herein as a co-debtor. The Debtor will verify his records to determine if this is an accurate response and, if it is not accurate, he will amend his answer prior to the hearing date.

3. ADMITTED.

4. DENIED. Strict proof thereof is demanded for trial.

5. DENIED. Strict proof thereof is demanded for trial.
6. DENIED. Strict proof thereof is demanded for trial.

WHEREFORE, the Debtor respectfully requests that this Honorable Court deny the relief sought by Movant in its Motion.

AFFIRMATIVE DEFENSES

7. Debtor hereby incorporates by reference his answers in Paragraphs 1 through 6 above as if made a part hereof.
8. There is sufficient equity in the subject property.
9. Movant is adequately protected.
10. The subject property is necessary to the Debtor for an effective reorganization.
11. There is no cause for granting the relief sought by Movant in its Motion.

WHEREFORE, the Debtor respectfully requests that this Honorable Court deny the relief sought by Movant in its Motion.

RESPECTFULLY SUBMITTED

Dated: February 22, 2018
Wilkes-Barre, Pennsylvania

By: /s/ David J. Harris
DAVID J. HARRIS, ESQUIRE